

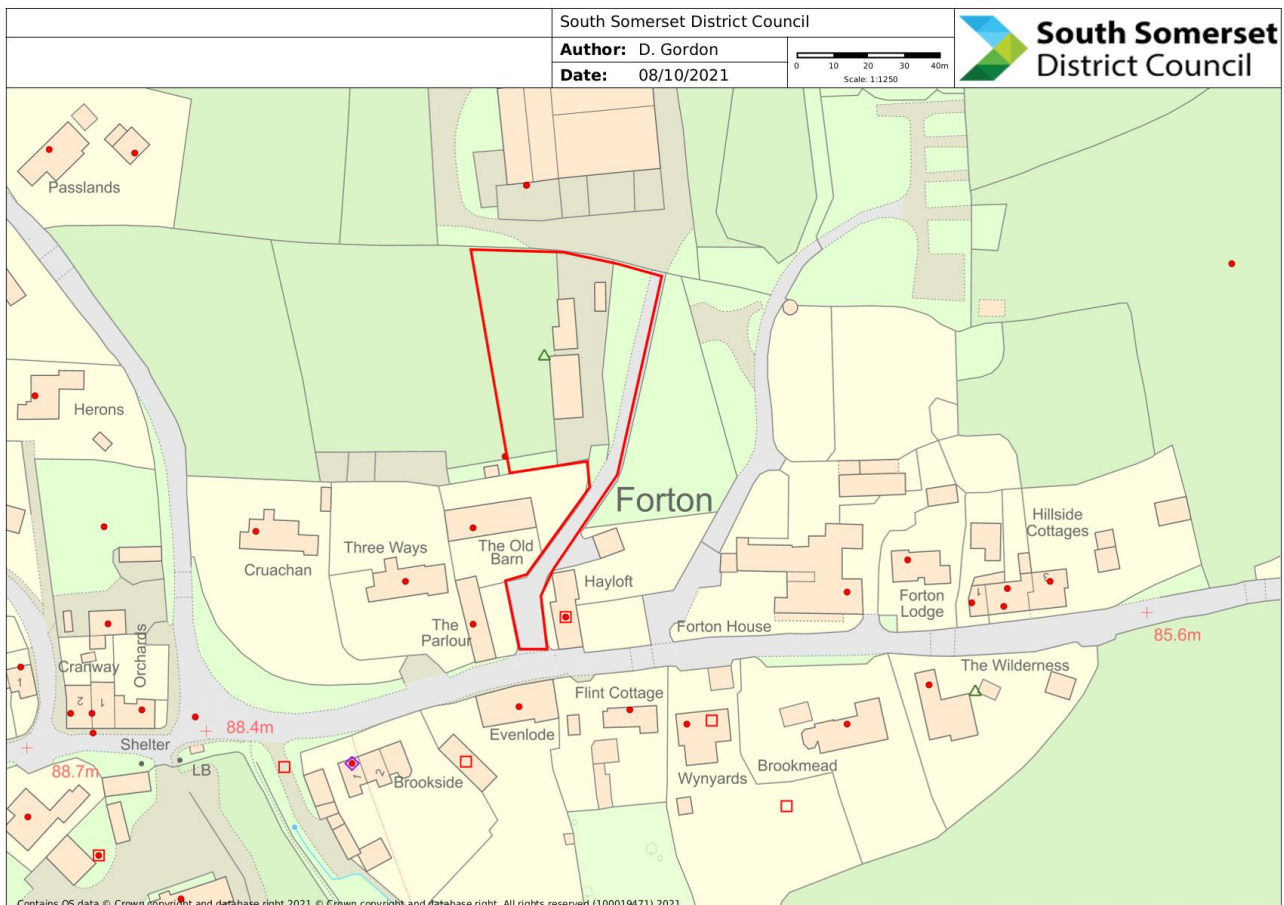
Officer Report On Planning Application: 20/03733/FUL

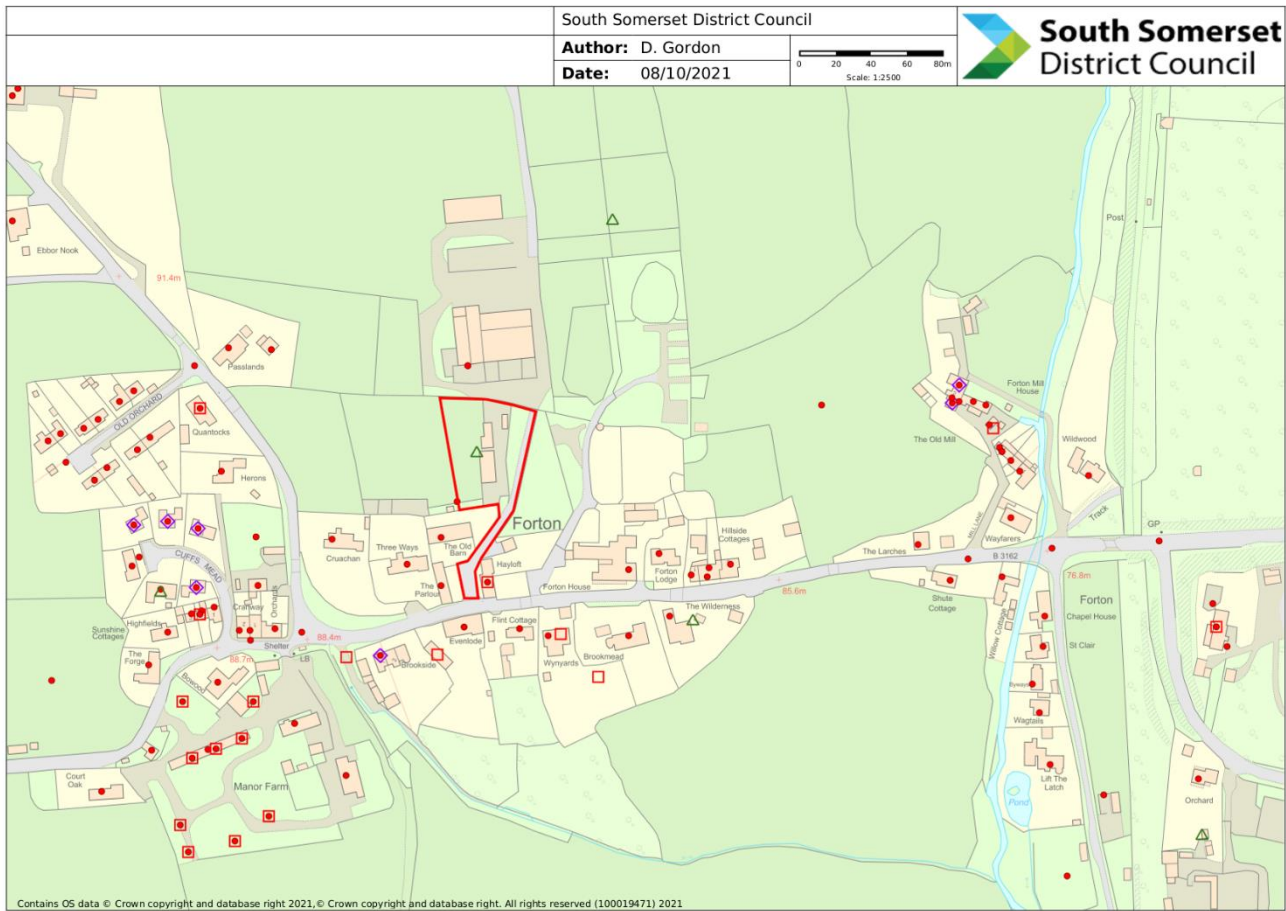
Proposal CIL Liab = YES	The conversion and extension of an existing agricultural shed into 2 semi-detached dwellings.
Site Address:	Willeys Farm Forton Chard
Parish:	Tatworth and Forton
BLACKDOWN, TATWORTH & FORTON Ward (SSDC Member)	Cllr M Wale Cllr Jenny Kenton
Recommending Case Officer:	David Alabi (Specialist)
Target date/Ext of time	24th May 2021
Applicant :	Mrs & Mr; Mrs & Mr Lisa and Adam; Karen and Michael Smith
Application Type : 06	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application requires consideration by Ward members as comments have been received that are contrary to the officer's recommendation.

SITE DESCRIPTION AND PROPOSAL





The application site is located at the end of a private access that meets the northern side of Forton Road between two frontage residential units. There is a single storey residential unit on the western side fronting the track (The Parlour) with a larger two storey unit to the north (The Old Barn). All these buildings are of rubble stone under a slate roof with timber joinery and form a courtyard.

Planning permission is sought for the conversion and extension of an existing Agricultural shed into 2 semi- detached dwellings.

HISTORY

15/02842/FUL: the erection of extensions to existing agricultural building and erection of silage clamp - Approved
 15/03296/FUL: Erection of agricultural building for the storage of hay and straw - Approved

19/02407/FUL: Erection of cattle shed and lean-to machinery store - Approved

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In

accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

The relevant Policies in the Local Plan are: SS1 - Settlement Strategy
SD1 - Sustainable Development
SS2 - Development in Rural Settlements EQ2 - General Development
EQ4 - Biodiversity
TA5 - Transport Impact of New Development TA6 - Parking Standards

The relevant sections of the National Planning Policy Framework 2021 (NPPF) are:

Chapter 2 - Achieving sustainable development Chapter 5 - Delivering a sufficient supply of homes Chapter 12 - Achieving well-designed places

CONSULTATIONS

A site notice has been displayed

Parish Council - No response received within the timetable.

SCC Highways - Standing advice applies.

SDDC Highways Consultant have commented as follows:

The highway impact of the scheme on the local highway network is unlikely to be significant or severe especially when considering that traffic that has or could be generated by the extant agricultural use of the sheds.

It would be useful to know the exact width of the access, the applicant should confirm the extent of visibility splays. Four parking spaces are required for each dwelling.

Electric charging points should be included.

REPRESENTATIONS

Surrounding occupiers have been consulted: Two letters of support have been received for the following reasons:

- The overall scale is modest
- The proposal makes use of an un-utilized farm building and will have a minimal impact on traffic flow
- It would also free up accommodation in the village for other families
- The proposal is in-keeping with local vernacular

CONSIDERATIONS

Principle of the development

The site is located outside the main settlements where restraint policies apply to new housing development. Due to this location it will have an impact upon the openness of the surrounding countryside over and above that of the existing agricultural buildings.

National and local planning policies aim to direct new development towards existing settlements thereby encouraging sustainable patterns of development and to protect the amenity and attractions of the countryside. SSSC recognize that a degree of flexibility may be afforded where a 5 year housing supply cannot be demonstrated. That said, even where the planning authority cannot demonstrate a 5 year housing supply, this does not of itself result in the provision of new housing in locations away from services and infrastructure comprising "sustainable development".

Policy SD1 of the Local Plan also recognizes that, when considering development proposals, the Council will take a proactive approach to reflect the presumption in favor of sustainable development contained in the NPPF and seek to secure development that improves the economic, social and environmental conditions within the District.

Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SS1 highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centers. All other settlements are 'Rural Settlements', which Policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Policy SS2)".

Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centers) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing."

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.

Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41" Those key services referred to in

paragraph 5.41 of the Local Plan are local convenience shop, post office, pub, children's play area/sports pitch, village hall/community center, health center, faith facility and primary school.

The site is located outside of any development areas or directions of growth as defined by the local plan. As such, policy SS2 of the South Somerset Local Plan is of most relevance. However, elements of policy SS2 must be considered out of date, as SSDC cannot currently demonstrate a five year supply of housing land. It is not considered that Forton would be considered as a sustainable location under policy SS2, as the relevant services and facilities - in this case a village hall, church and pub lie just outside the area.

In regard to local services while the onus is firmly placed on the applicant to demonstrate how their proposals would comply with Council policy, Forton has 1-2 community facilities, the football club and hall combined at the same location which are outside the village. In addition, concern remains regarding housing development in isolated locations such as this.

It is noted that there is a 2019 permission relatively close reference - 18/00493/FUL for the erection of 6 new dwellings, conversion of existing barns to form 3 dwelling and a holiday let and the carrying out of internal and external alterations and the erection of a two storey side extension to the existing farmhouse at Manor Farm Two Ash Lane Tatworth And Forton Chard. This is relatively close however that scheme was supported on the basis of the heritage assets it secured and therefore it is not directly relevant to the current application.

In support of the application the applicant refers to a fallback position as the existing barn could be converted to residential accommodation by way of Class Q of the Permitted Development Order 2015 as amended, should the existing building comply with the relevant criteria. However, it is considered that the extensions facilitating a second dwelling undermine the character of the barn and provide an additional dwelling to that which could be secured by way of the Class Q in a location would not be supported. The subsequent increase in useable floor space when compared with the existing barn would be significant and akin to a completely new development and not simply the conversion of a barn.

It is added further that the proposed residential curtilage around the dwellings would be far greater than that which could be achieved utilizing permitted development rights. It is considered that this further adds to the unacceptable nature of the development in this location.

The applicant also argues that personal circumstances should be taken into account. In this case the applicant's family would like to stay in the area in which they have lived for a considerable period of time and that the proposal would allow them to do so.

This has been taken into account but it is not considered that these circumstances would outweigh the harm resulting from the proposed development as outlined in this report. It is rare that a personal planning permission can be justified for new build development, therefore the decision should reflect the simple principle of allowing new dwellings regardless of the current owners intentions.

Visual Impact and Effect on the Landscape

Chapter 12 of the NPPF requires a high standard of design in new development. The emphasis on design and its appropriateness is echoed by policy EQ2 which requires that development,

among other things, reinforcing local distinctiveness and respect local context.

While the barn is not readily visible in the public realm & does relate to the village edge, the size and scale of the development as proposed may result in increased pressure for similar forms of development which would not be acceptable as it would result in the erosion of rural character.

The development consists of a large U shaped two-storey building that would include a substantial residential curtilage serving the proposed dwellings. The extended building would be positioned to the east of the site over the footprint of and encompassing the existing barn although it would be substantially larger and significantly more prominent.

The main elevations to the east and west would appear cluttered and in-coherent with its mix of vertical and horizontal shaped windows and off centered gabled sections. Facing materials include natural stone and timber, with roofing including natural slates, concrete ridge tiles and aluminum skylights.

It is not considered that the overly dominant size, scale and design of the building would represent a high standard. The proposal would therefore fail to comply with chapter 12 of the NPPF or Policy EQ2 of the South Somerset Local Plan.

Ecology

There are no nature conservation or habitat designations in the immediate area or the wider context that would be impacted by the development. Moreover, if the proposal were deemed acceptable a condition could be attached to any approval which sought the safeguarding of nature conservation or habitat interests.

The site is just outside the Phosphates zone and therefore there is no requirement for any mitigation measures in this case.

Residential Amenity

The site is well separated from neighboring residential dwellings and the development would not affect the amenities of occupiers of dwellings to the south and east of the site. It is therefore considered that the proposal would comply with Policy EQ2 of the South Somerset Local Plan.

Highway Safety

There have been no highway objections in principle subject to details regarding the access and in light of the existing use of the barns for agricultural purposes, it is not considered that the two dwellings would give rise to an expansion of traffic movements to and from the site. Two dwellings would not cause an increase in vehicular movements over and above that for the use as agricultural barns and as such highway safety would not be compromised. The proposal would therefore comply with Policies TA5 and TA6 of the South Somerset Local Plan.

RECOMMENDATION

For the above reasons it is considered the principle of development of two houses in the form

proposed is of an inappropriate size and scale and would adversely affect the open countryside and immediate landscape. For these reasons the proposal would not accord with Policies SS1, SD1 and EQ2 of the Local Plan and the guidance contained in the National Planning Policy Framework.

01. The proposed development by reason of its design, cluttered appearance, size and layout would fail to reinforce local distinctiveness or respect local context contrary to paragraphs 126 and 130 of the NPPF 2021 and Policy EQ2 of the South Somerset Local Plan 2006-2028.
02. The proposal would create two market led dwellings on a site which is considered to be outside of the limits of the main settlement of Chard and therefore in the open countryside. The proposal is therefore contrary to Policy SD1, SS1 and SS2 of the South Somerset Local Plan 2006 - 2028 and para 80 of the National Planning Policy Framework 2021 (NPPF) which seeks to restrain housing in the open countryside.

Informative:

01. In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions.
